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ORIGINAL

Transcript of the Testimony of
Larry E. Gibbs

Date: January 20, 2005
Volume: 1

Printed On: January 31, 2005

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1 A Mountaire.

2 Q How about the brothers who are younger than you?

3 A One of them works at Mountaire, the other two work
4 at Perdue.

5 Q The other one, right?

6 MR. MARTIN: He said five he had brothers.

7 BY MR. BREWER:

8 Q He's the middle one?

9 A I have four brothers.

10 Q The older two --

11 A I'm sorry. I do have five brothers. Let's see.

12 I do have five brothers.

13 Q Two work at -- the older two work at Mountaire?

14 A Mountaire.

15 Q You work at Mountaire, that's three, and the
16 younger two --

17 A Work at Perdue.

18 Q The brothers who work at Mountaire, what do they
19 do?

20 A One operates the forklift, George.

21 Q George is your brother?

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1 A Yes.

2 Q And he operates the forklift. He's on the
3 catching crew, then?

4 A Yes.

5 Q Whose crew's he on?

6 A My crew.

7 Q He's on your crew. How about the other brother
8 who works at Mountaire?

9 A Is on my crew also.

10 Q Okay. What's his first name?

11 A James.

12 Q Do you have any sisters?

13 A I have five sisters.

14 Q Okay. Are they employed?

15 A One is deceased. Yes, the other four is
16 employed.

17 Q Where do they work?

18 A I'm not sure. I'm not sure. One of them works in
19 day care, I know.

20 Q Okay.

21 A One is an L.P.N. I have a sister in Wilmington, I

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1 Q William C. Jason. How would I classify that, is
2 that a high school or middle school?

3 A It was a high school. It's Delaware Tech now in
4 Georgetown.

5 Q Okay. I know where that is, that was a high
6 school.. Let me ask you this. Do you have any
7 certifications or licenses like for a forklift or a CDL
8 license or anything like that?

9 A No.

10 Q Okay. And I believe you told me that your mental
11 health is good, and there's no issue there that would impact
12 on your testimony here today?

13 A No.

14 Q Okay. When were you first employed with the
15 company, sir?

16 A May 9th, 1994.

17 Q Okay. 5/9, you said, the 9th May?

18 A The 9th of May, 1994.

19 Q Okay. And prior to work -- coming to work for
20 Mountaire, where did you work?

21 A Hudson Food.

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1 A No.

2 Q Nothing like that. And while you were at Allen's
3 in Harbeson for those 17 years, how many people did you have
4 in your crew roughly?

5 A Nine.

6 Q About nine, okay. And you were considered a
7 contractor at Allen's also, weren't you?

8 A Yes. Yes.

9 Q And from Allen's, you didn't receive any benefits,
10 any medical insurance or paid holidays or paid vacation or
11 anything along those lines, did you?

12 A No.

13 Q Okay. And you were in charge of the crews that
14 you had at Hudson and at Allen's?

15 A Yes.

16 Q Okay. Since you've become employed with Mountaire
17 in '94, have you had any break in service?

18 A No.

19 Q Okay. When you first came to Mountaire, did you
20 come to them as a crew leader?

21 A Yes.

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1 Q Mr. Gibbs, your job as a crew leader at Mountaire,
2 are you basically responsible for managing that crew?

3 A I'm not sure what mean.

4 Q Okay. Are you the person in charge of the crew?
5 I'll put it that way.

6 A Yes.

7 Q Okay. Similar to the way you were in charge of
8 the crew when you worked for Hudson and Allen's, it was your
9 crew and you told them where to go and what to do and things
10 like that?

11 A Yes.

12 Q How many employees are in your crew now at
13 Mountaire?

14 A Eight.

15 Q You have eight?

16 A Yes.

17 Q Does that include the forklift operator?

18 A No, it doesn't.

19 Q So eight plus a forklift. Okay. When you worked
20 at Hudson, the catchers who worked for you were not
21 unionized, were they?

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1 A No.

2 Q And the same is also true of Allen's, isn't it?

3 A (Witness nods.)

4 Q Now, at Mountaire the employees are unionized, are
5 they not?

6 A Yes.

7 Q Okay. And they're covered by a union contract?

8 A Yes.

9 Q And that contract does not apply to you, does it?

10 A No.

11 Q Okay. The forklift operator, who is the forklift
12 operator who's in your crew now?

13 A George Feddiman.

14 Q George Feddiman. The same Mr. Feddiman who's
15 listed as a Plaintiff in this lawsuit?

16 A Yes.

17 Q And how long has Mr. Feddiman been your forklift
18 operator approximately?

19 A Twenty years.

20 Q He's been the forklift operator on your crew for
21 20 years?

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1 A Yes.

2 Q Just to be clear, when I asked you about meetings
3 that you had with Mr. Martin and so forth, you mentioned
4 that he was there. Was Mr. Feddiman ever a crew leader?

5 A Yes.

6 Q Okay. When, if you know, did he stop becoming a
7 crew leader?

8 A I don't know.

9 Q Okay. Is he related to you in any way?

10 A He's my brother.

11 Q Mr. Feddiman's your brother?

12 A Yes.

13 Q Okay. So now, can you tell me why he has a
14 different last name, I guess, would be my first question?

15 A No.

16 Q You don't know why he has a different last name
17 than you do?

18 A Yes. He has my -- my mother's last name is
19 Feddiman. My father is Gibbs.

20 Q And he chose your mother's last name for his name?

21 A He didn't, no.

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1 operator?

2 A He was one of my catchers, and he -- and learned
3 how to operate the forklift. He got an opportunity when
4 Mr. Feddiman left.

5 Q And did you recommend him for that job?

6 A I can't remember.

7 Q You say he got some training on the forklift. Who
8 provided the training?

9 A I guess Mountaire did, or while we were working,
10 he would train.

11 Q And who was responsible for watching all of his
12 training?

13 A I was.

14 Q Okay. So did you have any input into whether or
15 not he should get the job as a forklift operator?

16 A No.

17 Q You had none. If you thought he wasn't training
18 properly, wouldn't you say something to somebody?

19 A I'm sorry. When you said, did I have any input?

20 Q Yeah, into him becoming a forklift operator.

21 A I don't understand.

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1 Q All right. Did you have a say in it? Did you say
2 to anybody in the company, Waters is doing a good job. This
3 guy ought to be a forklift operator?
4 A No. I didn't say that.
5 Q What did you say to anybody?
6 A I was asked --
7 Q Okay.
8 A -- how was he doing.
9 Q By whom?
10 A I think Mr. Lynch asked me.
11 Q And what did you say?
12 A I said, he was doing well.
13 Q Okay. So you advised Mr. Lynch based on the fact
14 that you were observing Mr. Waters that he was doing well?
15 A Yes.
16 Q Okay. And he subsequently became, then, a
17 forklift operator?
18 A Yes.
19 Q And a forklift operator is a step above a catcher,
20 isn't he?
21 A His pay scale is, yes.

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1 Q So it's pretty much considered a promotion, isn't
2 it?

3 A I wouldn't say that.

4 Q He's making more money?

5 A (Witness nods.)

6 Q And you wouldn't consider that a promotion?

7 A If you say making more money is a promotion, then
8 I guess it would be.

9 Q Okay. Let's just cover a couple of things in your
10 position now as a crew leader and since you -- basically
11 since you started. You are -- you have responsibilities,
12 and we just discussed some of them a little bit with respect
13 to training the people on your crew, isn't that true? You
14 have to answer yes or no for the court reporter.

15 MR. MARTIN: Objection. He can answer yes or no
16 or say he doesn't understand the question.

17 BY MR. BREWER:

18 Q I thought he was nodding his head. He was shaking
19 his head, yes, and that's why I said what I said.

20 A I was thinking, really. I wasn't --

21 Q I didn't mean to misinterpret your nodding.

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1 person?

2 A Just our procedures and stuff.

3 Q Such as what?

4 A How to set the house up and prepare for the
5 catching and everything.

6 Q Okay. So you tell them how to set the house up.

7 And what else?

8 A That's about it basically. Besides catching and
9 keeping the chickens from smothering themselves and that
10 sorts.

11 Q You tell them that, you tell them what they should
12 do to make sure that the chickens don't gather in a corner
13 and smoother themselves, you tell them about that, correct?

14 A If I can go back. Like I said, all the catchers I
15 have have experience, been doing it for 20 some years, so
16 basically they know all the stuff. I don't have to tell
17 them.

18 Q But that may be. But I guess what I'm trying to
19 find out is, when a new catcher is coming to your crew, what
20 do you say to him?

21 MR. MARTIN: Objection. Asked and answered.

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1 BY MR. BREWER:

2 Q It hasn't been answered. He's basically saying
3 they've all been experienced. I need to know what you tell
4 these people when they first come to your crew. That's all
5 I want to know. You told me you tell them how to set the
6 house up. You also told me you tell them how to move the
7 birds in such a way as they don't smoother themselves. I
8 want to know what else? That's all.

9 A That's about it.

10 Q Okay. You tell them if they get half an hour for
11 lunch?

12 A That too, yes.

13 Q You tell them that. Okay. Excuse me a second.
14 Your brother, James, can you tell me, if you know, when he
15 started working for the company?

16 A Hired the same time as I was, May 9th, 1994.

17 Q So he came over with you and Mr. Feddiman and
18 James. The three of you came over together?

19 A Yes.

20 Q And he was hired as a, what, did you say?

21 A Catcher.

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1 Q He's a catcher?

2 A Yeah.

3 Q Okay. All right. Now, when you're on the farm,
4 whatever farm it happens to be and you're there with your
5 crew, you're the one who basically directs that crew; isn't
6 that correct?

7 A Yes.

8 Q Okay. When you first get to a farm, depending on
9 the type of house it is, you're the guy who figures out how
10 we're going to catch the chickens in this house, correct?

11 A Yes.

12 Q Okay. And there are a lot of different techniques
13 that can be used in catching chickens; isn't that true?

14 A There's a few, yes.

15 Q And that will depend on the house to some extent?

16 A It may also depend on the size of the bird to some
17 extent. Yes.

18 Q And you are the one who's involved in deciding how
19 we're going to go about catching the chickens in this
20 particular house depending on those circumstances?

21 A Yes.

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1 Q Do you have as a crew leader any responsibility
2 for the safety of your crew?

3 A Yes.

4 Q Okay. Tell me what that responsibility entails.

5 A Just making sure all the equipment and stuff
6 inside the chicken house that we catching is out of the way.

7 Q This is for the safety of your people?

8 A Yes.

9 Q So you're responsible for making sure that that's
10 taken care of?

11 A (Witness nods.)

12 Q And how do you fulfill that responsibility?

13 A I can't all the time.

14 Q I'm sorry. I didn't understand your answer.

15 A You say, how do I fulfill it?

16 Q Yeah. How do you go about saying what you just
17 told me? I have to look out for the safety of my people,
18 that's your responsibility. And you have to make sure the
19 equipment is out of the way. You said that's one of the
20 ways you look out for their safety. I just want to know,
21 how do you do that? Do you go inside the house and look

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1 around, what do you do?

2 A Yes, I do.

3 Q Do you talk to the farmer at all?

4 A Yes.

5 Q So that's how you fulfill that responsibility by
6 personally observing things?

7 A (Witness nods.)

8 Q And if -- I didn't mean to cut you off. If you
9 see something that you don't think is appropriate, what do
10 you do?

11 A Try to fix it.

12 Q Okay.

13 A Or make it safe for the catchers or get it out of
14 the way, a foreign object and stuff.

15 Q Okay. That's what I would expect. You are
16 also -- have some responsibility with respect to the
17 property, don't you?

18 A Yes.

19 Q You're responsible for making sure your people
20 work in such a way as to not damage the farm?

21 A Yes.

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1 MR. BREWER: I'll tell you, it's a few minutes
2 early, but this might be a good time to take a break.
3 Why don't we take about a five- or ten-minute break and
4 come back.

5 MR. MARTIN: Okay.

6 (Off the record.)

7 BY MR. BREWER:

8 Q Mr. Gibbs, when you left Hudson Foods, did you and
9 your entire crew come to work for Mountaire?

10 A Yes.

11 Q Okay. Thank you. Sir, I'm going to show you an
12 exhibit to Mr. Garrison's deposition. It's Garrison Exhibit
13 No. 1. I'll give you that. This is an exhibit to
14 Mr. Garrison's deposition. Do you recognize this document?

15 A Yes.

16 Q Okay. Tell me what it is.

17 A It's a -- we call it a farm ticket which the crew
18 leaders fill out.

19 Q Okay. So you would fill this out?

20 A Yes.

21 Q And up at the top, I see it says, date. Would you

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1 fill the date in?

2 A Yes.

3 Q And where it says, lot number, would you fill that
4 in?

5 A No.

6 Q How about load number?

7 A No.

8 Q Grower, would you fill that information in?

9 A Yes.

10 Q Houses, would you fill that information in?

11 A Yes.

12 Q And the time started, what time is that?

13 A The time started on loading the chickens, loading
14 the trailer.

15 Q Loading the chickens?

16 A Yes.

17 Q Into the cages?

18 A Yes.

19 Q The time you start?

20 A Yes.

21 Q And who fills that in?

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1 A The crew leaders.

2 Q So you would fill that in?

3 A I would, yes.

4 Q How about time finished?

5 A I would fill that in also.

6 Q And when do you enter the time finished, what time
7 is that?

8 A When the chickens are finished loaded on that
9 particular trailer or load.

10 Q On that particular load?

11 A Yes.

12 Q So every time there's another load coming in, you
13 fill out another ticket?

14 A Yes.

15 Q Okay. So if it took four or five live haul trucks
16 to empty a house, you would fill out four or five of these
17 tickets?

18 A Yes.

19 Q Now, is the -- does the time started change, then?

20 A Does the time start and change?

21 Q Yes.

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1 A On each load, you mean?

2 Q Yes.

3 A Yes.

4 Q So, for example, if you started working at
5 midnight, the first load you would write in the time you
6 started it being midnight?

7 A Yes.

8 Q And if you finished the first load at 1:30 in the
9 morning, you would then write in 1:30?

10 A Yes.

11 Q And then the second trailer comes, and you would
12 write in 1:30 at time started?

13 A Yes.

14 Q And when you finished until you go through the
15 entire thing. So that's your responsibility to fill that
16 out?

17 A Yes.

18 Q Temperature, who fills that out?

19 A I don't know who fills that out.

20 Q You don't, though?

21 A No, I don't.

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1 Q Number of doors?
2 A I fill that out.
3 Q Okay. And then do you fill out a total?
4 A Yes.
5 Q And do you fill out the average weight?
6 A No.
7 Q Okay. Let's go down below the line where there's
8 a series of boxes, yes and no. It says, sign present. Who
9 fills that out?
10 A I do.
11 Q And when it says, sign present, what does that
12 mean?
13 A That's a sign with the grower name on it. It's
14 because a lane sign -- end of the lane to the chicken
15 houses.
16 Q So if I were a grower, it would say Brewer's farm;
17 is that what you mean?
18 A Yes.
19 Q And you would check whether the sign was up or
20 not?
21 A Yes.

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1 Q Okay. And if it's not up, what do you do?

2 A I mark the no box.

3 Q And what happens when you mark the no box?

4 A The serviceman, I think, would be notified, and
5 they would put a sign out there.

6 Q So you're responsible for letting the company know
7 whether the sign is up or not?

8 A Yes. By filling this out, they would know that,
9 yes.

10 Q How about grower present; do you fill that out?

11 A Yes.

12 Q What does that mean?

13 A Whether the grower was present when we were
14 catching the chickens.

15 Q Does that mean he was present actually watching
16 you? If you came at midnight at night and the grower's
17 asleep, how would you check that box?

18 A I would check no, then, if he wasn't there.

19 Q So when the grower is present, the grower is
20 physically there watching you catch?

21 A Just when I arrive on the farm. The grower

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1 doesn't stay the entire time, but just when we arrive on the
2 farm if he's present.

3 Q . So if he's present, then you check that?

4 A Yes.

5 Q DAFs prior to catch. What's a DAF, for the
6 record?

7 A That would be dead at farm. That would be the
8 dead bird -- dead chickens inside the chicken house before
9 we started working.

10 Q And who checks that box?

11 A Really, at times I don't even check that box
12 myself. I don't, I used to, but I don't check that anymore.

13 Q When you used to check it --

14 A I checked it myself.

15 Q Okay. And when you did check it, how would you go
16 about determining whether there were dead chickens at the
17 farm?

18 A By walking through the chicken house before we
19 started catching the birds.

20 Q So you would walk through the house?

21 A Yes.

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1 Q And what would you be looking for?

2 A Dead birds.

3 Q And any particular number, just to see if there
4 were any at all? That's what you were looking at?

5 A Mostly I would just check to see was there a large
6 amount. More than average, I would say.

7 Q Okay. What would you say would be the average?

8 A I would look at the mortality charts and see how
9 many they grow. It would be losing -- like if they was
10 losing ten, if it was a lot more than ten before I started
11 catching, I would mark yes.

12 Q And would you have a mortality chart with you?

13 A No.

14 Q How would you know what the mortality chart said?

15 A It's placed somewhere inside the chicken house.

16 Q Okay. So when you arrive at the farm, do you go
17 to look for the mortality chart?

18 A At times. Not all the time.

19 Q Okay. Now, you said -- when you were checking
20 this box -- I'm trying to understand your procedure. You
21 would go in yourself, you would walk around the house, see

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1 how many dead chickens there were, and then look at the
2 mortality chart to see if it was more than you would expect?

3 A Yes.

4 Q That's what you would do?

5 A Yes.

6 Q And then you would check this box?

7 A Yes.

8 Q And you said you don't check this box any longer,
9 correct?

10 A Correct.

11 Q Why not?

12 A No reason.

13 Q You just decided you didn't need to check it
14 anymore?

15 A Yes.

16 Q Okay. The next box says, firefan used. Do you
17 check that box?

18 A Yes.

19 Q Okay. And who decides whether a firefan should be
20 used?

21 A We use it all the time now year round if -- in

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1 conventional houses. Houses that are not tunneled, we used
2 it. So automatically if there's no tunnel house, we use a
3 firefan.

4 Q Who decides to use it? The crew leader does,
5 doesn't he?

6 A Oh, yes.

7 Q Okay.

8 A I decide to use them, yes.

9 Q That's fine. Chickens watered. Who checks that
10 box?

11 A I check that box.

12 Q And how do you decide whether the chickens -- how
13 do you decide whether to check the box yes or no?

14 A If the chickens -- this only happened during the
15 summer months.

16 Q Okay.

17 A And if the chickens are watered, I mark yes. If
18 not, I mark no.

19 Q How do you know that they have been watered is my
20 question?

21 A The truck driver does it. Eventually I see him

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1 you mentioned that something will -- somebody will come out
2 and somehow straighten out the entrance and the litter
3 condition, okay, if I understood you correctly?

4 A Not right then. Later.

5 Q Later?

6 A Maybe possibly, yes.

7 Q Right. That's later. And who is it, if you know,
8 that comes out and does that?

9 A David Nuse -- when I find the situation
10 unacceptable, I call our assistant live haul manager, and
11 David Nuse comes out, and it's his responsibility then.

12 Q So your responsibility is to let David Nuse
13 know --

14 A Yes.

15 Q -- when you see these things that are
16 unacceptable, and you do that?

17 A Yes.

18 Q All right. Take a look at this next document
19 which is Exhibit 2. This is Exhibit 2 to Mr. Garrison's
20 deposition. I want to ask you a couple questions. Let me
21 ask you this about the crew. Who determines the size of the

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1 crew?

2 A Mountaire.

3 Q Okay. And I think you testified, just to be sure,

4 you have eight catchers on your crew and one forklift

5 operator; am I remembering that correctly?

6 A Yes.

7 Q Thanks. Okay. Take a look at this document, and
8 look under item number two, Roman numeral two, and it talks
9 about the crew leader's general duties. The first one is to
10 arrive on the farm at the correct time. Would you agree
11 that's a responsibility that you, as a crew leader, have, to
12 be on time?

13 A Yes.

14 Q Second one talks about dividing the house, and --
15 into four sections, and then talks about various other
16 combinations that you might do. Is that your responsibility
17 as a crew leader to make sure that the house is set up to
18 catch the right way?

19 A Yes.

20 Q And I think you mentioned when you had a new
21 crew -- when you had a new catcher on your crew, one of the

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1 things that you would tell that person was how to set up the
2 house?

3 A Yes.

4 Q So it's up to you to decide how to set up the
5 house to catch?

6 A Yes.

7 Q You also tell the catchers the number of birds to
8 be placed in each cage in the compartment?

9 A Yes.

10 Q When catching the birds at night and the movement
11 here, is that your responsibility to make sure that this
12 guideline is carried out?

13 A Yes.

14 Q Okay. It talks about observing uncaught birds and
15 to prevent smoothers; is that also your responsibility?

16 A Yes.

17 Q So as the crew is catching the birds in the house,
18 one of the things you're responsible for is watching them
19 making sure the uncaught birds don't smoother themselves?

20 A And we have one of the catchers, we call him the
21 house man. It's also his duty, too, to make sure that --

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1 Q Okay. Who is your house man?

2 A My catchers rotate. All of them take turns being
3 a house man.

4 Q So you're ultimately responsible, but you have
5 somebody else that you delegate that or you give that
6 authority to, to watch also?

7 A Yes.

8 Q Making sure the cages are stacked uniformly on the
9 trailer, is that also one of your responsibilities?

10 A Myself and the truck drivers also.

11 Q Okay. But you have a responsibility to make sure
12 that's done?

13 A Yes.

14 Q And if it's not, can you tell the truck driver he
15 has to change something?

16 A Tell the forklift operator.

17 Q You tell the forklift operator. You instruct him
18 to make the change.

19 A Yes.

20 Q Okay. Item G talks about in the summer, making
21 sure that the fans are left hanging until the birds have

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1 been caught. Again, is that a responsibility that you have?

2 A Yes.

3 Q Okay. Not loading more than the specified number
4 of chickens per door?

5 A That also, yes.

6 Q So if some of the catchers are putting more
7 chickens in a hole than they should, it's your
8 responsibility to say, stop, that's too many?

9 A Yes.

10 Q And, of course, we went over filling out the farm
11 ticket. You already talked about that. And then it talks
12 about checking with the driver to make sure the load is
13 secure, that's one of your responsibilities also?

14 A Yes.

15 Q If we go down to item three, this talks about
16 various catching methods. There's listed in item A, a night
17 method. In item B, there's a day catching method. Take a
18 look at those, if you would, and tell me if it's your
19 responsibility to make sure what is written here you take
20 care of.

21 A Yes. That's my responsibility also, yes.

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1 Q Okay. Now, some of these things that are listed
2 here, I mean, they are -- let's talk about general duties --
3 may change depending on the house and the time of the year
4 and the number of birds and things like that. So, for
5 example, where it says in item C, it says, the house should
6 be divided into a minimum of four large pens. You might
7 decide that three is fine; isn't that true?

8 A Yes.

9 Q So it's up to you to make those calls. Okay.

10 A Yes.

11 Q Tunnel ventilation, again, is that the
12 responsibility of the crew leader and your responsibility?

13 A In conventional houses, yes.

14 Q Okay. Now, we go back to Roman numeral three on
15 this exhibit, and you'll see tunnel houses. Do you see
16 that? I think you need to turn the page. Next page. And
17 the page after that. Next page. There you go. See tunnel
18 houses?

19 A Yes.

20 Q Take a look at those things there and tell me if
21 that's your responsibility to make sure that these things

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1 occur as they should.

2 MR. MARTIN: Let's make sure we're on the same
3 page. Are you referring to Roman numeral three under
4 that?

5 MR. BREWER: That's correct.

6 MR. MARTIN: I think he's on the page before
7 that.

8 MR. BREWER: I think he's on --

9 MR. MARTIN: Let me direct him to the right
10 page, then.

11 MR. BREWER: Sure.

12 MR. MARTIN: This is what you're referring to
13 here, Mr. Brewer.

14 BY MR. BREWER:

15 Q Roman numeral three says, tunnel houses. That's
16 where I want you to take a look at.

17 A Yes.

18 Q Okay. And you have discretion in some cases here
19 to follow this or not follow that. That would be up to you
20 to decide?

21 A Yes.

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1 Q Is the same also true of the two little things
2 that are mentioned here about walk-out houses?

3 A Yes.

4 Q Okay. Thank you. You have -- let me take a look
5 at this for just a second. You are, as a crew leader,
6 responsible for making sure that the chickens that your crew
7 catches get to the plant on time?

8 A Yes.

9 Q And I think we just went through this, but you are
10 responsible for making sure that those procedures and
11 guidelines that we just went through are followed?

12 A Yes.

13 Q Okay. You also have a role with respect to
14 maintaining a good relationship with the grower, don't you?

15 A Yes.

16 Q Okay. And I think we mentioned the safety of your
17 crew, you have responsibility for that also?

18 A Yes.

19 Q Okay. You are basically, then, when you're out
20 there catching, you're the one who's directing the crew?

21 A Yes.

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1 Q Directing -- okay. All right. From time to time,
2 new catchers have come on to your crew?

3 A Yes.

4 Q Okay. Have you ever suggested to anybody at
5 Mountaire that they hire a particular person as a catcher?

6 A Yes.

7 Q Okay. Who, if you can remember?

8 A The last one was Arthur, Arthur Belfield.

9 Q And was he hired?

10 A Yes.

11 Q Okay. And without -- and I don't mean to stretch
12 your memory, but have there been others like Mr. Belfield
13 that you recommended the company hire?

14 A That's it. I think I said maybe two or three.

15 Q Okay. And were they hired?

16 A I think all but one, I think.

17 Q Okay.

18 A I think two out of the three, yes, I think they
19 were hired.

20 Q Who was it -- do you remember the person who
21 wasn't?

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1 A No, I can't remember him.

2 Q Okay. There are other crew leaders employed at
3 Mountaire, we know, right?

4 A Yes.

5 Q Have other crew leaders asked you if you could
6 spare a member of your crew to come work on their crew
7 because they were short?

8 A Yes.

9 Q Okay. And when they've asked that, what have you
10 done?

11 A If I have a catcher available, I let him go catch
12 with that crew leader.

13 Q So you would tell someone from your crew to go
14 work for somebody's crew, for example, Mr. Garrison's crew,
15 if he needed it?

16 A It would be up to him. I would ask him, would he
17 want to go work with Mr. Garrison or whoever. Then that
18 would be up to him whether he would go catch with that crew
19 or not.

20 Q Okay. If you asked every one of the catchers and
21 they all said, no, what would you do?

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1 A Nothing.

2 Q You would leave Mr. Garrison without a catcher?

3 A That's all I could do.

4 Q Okay.

5 A I tell him to contact Mr. Lynch or someone.

6 Q Have you ever asked any of the other crew leaders
7 to supply you with a catcher?

8 A Yes.

9 Q And have they done so?

10 A At times, yes.

11 Q Do some catchers work a double shift from time to
12 time?

13 A Yes.

14 Q And how does that occur?

15 A Like if -- if one of the catchers are working on
16 the first shift, and if I'm on, like, the third or fourth
17 shift, he would work with the first shift and then come work
18 on my shift also.

19 Q Okay. And, again, that's only if he wants to?

20 A That's correct.

21 Q Let me ask you this question. Do you know Donna

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1 A Only when we used to have a petty cash program,
2 and sometimes she would handle that for me.
3 Q For whom?
4 A For the catchers, like I would have to pick it up,
5 I would write out a petty cash slip and Donna would give me
6 the cash.
7 Q And what would you do with the cash?
8 A Give it to the catcher.
9 Q Now, how would Donna -- who would deliver the slip
10 to Donna to get the cash?
11 A I would.
12 Q So the catcher would fill it out, give it to you?
13 A I would fill it out.
14 Q So the catcher would come to you and say, I need
15 some extra cash?
16 A Yes.
17 Q And you would then decide whether to fill out the
18 form or not?
19 A Yes.
20 Q And you would fill out the form, take it to Donna?
21 A Yes.